

REMARKS

Summary Of Office Action

Claims 1-14 are pending in this application.

The Examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner also rejected claims 1-5 and 14 under 35 U.S.C. § 102(b) as being anticipated by Boros, Multimedia White Paper, December 1999 (hereinafter "Boros").

The Examiner also rejected claims 1-14 under 35 U.S.C. § 103(a) as being obvious in view of Boros.

Summary Of Applicant's Reply

Applicant has amended independent claims 1, 8, and 14, and dependent claims 2, 5-7, and 9-13, and added new claims 15-17.

The Examiner's rejections are respectfully traversed.

Summary Of Telephone Call

On December 6, 2005, the undersigned, on behalf of the Applicant, had a telephone conversation with the Examiner regarding the § 112 rejection and the §§ 102 and 103 rejections. The undersigned and the Examiner discussed the indefiniteness of the language "permanently affixing" introduced into the claims in the March 3, 2005 Amendment.

The Examiner indicated that the feature "electronically readable media" should be drafted to more directly relate to those embodiments the Applicant views as his invention. For example, specific embodiments of the "electronically readable media" such as an optical bar code, a magnetic strip, or an embedded computer chip should be

enumerated in the claims. The Examiner also indicated that he would need to study the legal ramifications, if any, of the claims in view of the Federal Securities Regulations.

The undersigned thanks the Examiner for the cordialities extended during the telephone call.

### Applicant's Reply

#### I. The § 112 Rejection

The Examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Examiner states that the limitation "permanently affixing"<sup>1</sup> is indefinite for the reason that, "[p]resumably the electronically readable media is attached for the purpose of being read in a device" and that, therefore, "the media cannot be permanently affixed."

Applicant has amended the independent claims such that the electronically media is "affixed" (i.e., not "permanently affixed"). Accordingly, in view of the amendments to the independent claims, Applicant respectfully submits that the independent claims are definite and particularly point out and distinctly claim the subject matter which applicant regards as the invention.<sup>2</sup>

#### II. The § 102 Rejection

Claims 1-5 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boros.

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<sup>1</sup> See Applicant's March 3, 2005 Reply to Office Action.

<sup>2</sup> Applicant respectfully directs the Examiner's attention to Section IV, *infra*, regarding the language "permanently affixing" in new dependent claims 15-17.

Per the Examiner's suggestion in the aforementioned December 6, 2005, telephone call, Applicant has amended independent claims 1, 8, and 14 such that the electronically readable media is an "optical bar code, a magnetic strip, or an embedded computer chip." Support for this amendment can be found, for example, on page 4, lines 13-15, of Applicant's specification.

Applicant respectfully submits that there is no showing or suggestion in Boros of affixing optical bar codes, magnetic strips, or embedded computer chips to a printed financial prospectus as featured by applicant's independent claims 1 and 14, as amended. At best, Boros and the other prior art of record teaches distributing prospectuses via a CD-ROM separate from or along with printed financial prospectuses. Boros, for example, describes distributing electronic prospectuses "via the Internet or other computer networks, CD-ROM and floppy disc." Boros, pg. 9. Clearly, a CD-ROM separate from or along with a financial prospectus is different from an optical bar code, a magnetic strip, or an embedded computer chip affixed to the actual prospectus. Therefore, there is no showing or suggestion in Boros or the prior art of record of affixing an optical bar code, a magnetic strip, or an embedded computer chip to a printed financial prospectus. Therefore, Boros does not show or suggest all of the features of applicant's independent claims 1 and 14, as amended. Accordingly, independent claims 1 and 14, and claims 2-5 which depend therefrom, are not anticipated by Boros.

### III. The § 103 Rejection

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as being obvious in view of Boros.

As shown above with respect to the § 102 rejection, there is no showing or suggestion in Boros of storing prospectus data on optical bar codes, magnetic strips, or embedded computer chips and affixing that media to a printed financial prospectus. Therefore, because Boros fails to show or suggest each and every limitation of applicant's claimed invention, independent claims 1, 8, and 14, and claims 2-7 and 9-13 which depend therefrom, are not obvious in view of Boros.

#### IV. New Claims 15-17

Applicant added new claims 15-17 which respectively depend from independent claims 1, 8, and 14. The method, system, and printed prospectus of claims 15-17 limit the at least one electronically readable medium from a medium affixed to a printed prospectus to a medium *permanently* affixed to a printed prospectus.

Applicant respectfully submit that claims 15-17 are definite for at least the reason that electronically readable media (e.g., an optical bar code, a magnetic strip, or an embedded computer chip) permanently affixed to a printed prospectus may be read off of the prospectus using a suitable device (e.g., a bar code scanner, smart card scanner) without removing the media from the prospectus.

Applicant respectfully submits that claims 15-17 are in condition for allowance for at least the reasons that independent claims 1, 8, and 14 are in condition for allowance.

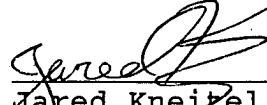
#### Conclusion

The foregoing demonstrates that claims 1-14 are allowable. This application is therefore in condition for

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allowance. Reconsideration and allowance are accordingly  
respectfully requested.

Respectfully submitted,



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